

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 87433

Jerry Sheppard
214 W. Madison Street
Baltimore MD 21201

4223 Saint Vincent Drive

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on March 8, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-312, failure to clean the exterior grounds of all trash, junk and debris on residential property.

On December 20, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Paul Cohen issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,600.00 (two thousand six hundred dollars).

The following persons appeared for the Hearing and testified: Jerry M. Sheppard, Respondent and, Paul Cohen, Baltimore County Code Enforcement Officer.

Testimony revealed that, pursuant to an anonymous complaint, an inspection of the subject property took place on 12/8/10, at which time trash, junk and debris was found in the yard and under a porch. A citation was issued as a result of a re-inspection on 12/20/10. A hearing was originally set for 1/12/11, Respondent failed to appear and a fine was assessed. A subsequent inspection on 1/24/11 showed the property condition unchanged and another citation was issued. The matter was postponed subsequently and was finally heard on 3/8/11. Re-inspections on several occasions showed the situation unchanged, but a pre-hearing inspection on 3/7/11 showed the property in compliance. The Respondent testified as to tenant difficulties.

Having heard the testimony and evidence presented at the hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$2,600.00 (two thousand six hundred dollars).

IT IS FURTHER ORDERED that \$2,500.00 of the \$2,600.00 civil penalty be suspended, with an immediate \$100.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$2,500.00 will be imposed if the property is not brought into immediate compliance.

IT IS FURTHER ORDERED that the remaining \$2,500.00 will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 25th day of March 2011

Signed: Original Signed 3/25/11
Lawrence M. Stahl
Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.